In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.23106-M of 2007

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Date of decision:7.9.2007

Anu Sharma

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Gauravjit Singh, Advocate for the petitioner.

Mr. I.P.S. Sidhu, Senior Deputy Advocate General, Punjab for the respondent-State.

Mr. Sandeep Arora, Advocate for the complainant.

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S.S. Saron, J. (Oral)

Heard learned counsel for the parties.

The petitioner is a young lady aged 30 years. It has been submitted that the forgery in the case, if at all there is any, was done by her husband Rahul Sharma. The petitioner as a dutiful housewife merely signed the documents on the asking of her husband. The petitioner, in fact, was not even aware of the transactions that were carried out on her behalf by her husband. Rahul Sharma, the husband of the petitioner was arrested on 23.3.2007 and has since been released on regular bail.

Learned counsel for the State has submitted that in compliance with the interim order granted on 18.4.2007 the petitioner has joined investigation and her further custody is not required for the purpose of investigation.

Mr. Sandeep Arora, Advocate for the complainant has opposed the application for grant of bail. It is submitted that the petitioner is not as innocent as she is alleging. In fact, a total forgery of an amount of more than Rs.20 Lacs has been committed and the petitioner was responsible for the forging of documents.

After giving my thoughtful consideration to the entire matter, it may be noticed that the allegations as made in the FIR are to be gone into after evidence has been led. The custody of the petitioner is not required for the purpose of investigation as she has joined investigation. The petitioner is a young housewife and has two minor children aged six years and three years. The question whether she is involved in the case or whether she has signed merely on the asking of her husband would require determination after the evidence has been led.

In the circumstances, the interim bail granted on 18.4.2007 is made absolute subject to the provisions of Section 438 Cr.P.C.

The criminal miscellaneous petition stands disposed of.

September 7, 2007. **(S.S. Saron)**
Judge

hsp